

Politics

Small-scale possession of illicit drugs will be decriminalized in B.C. starting next year: Ottawa

Adults will be able to possess small amounts of opioids, cocaine, methamphetamine, MDMA

[Christian Paas-Lang](#) · CBC News · Posted: May 31, 2022 8:03 AM ET | Last Updated: June 1



Protesters advocate for drug decriminalization in Vancouver in February 2018. Personal possession of small amounts of some drugs will be decriminalized in B.C. starting early next year. (Tina Lovgreen/CBC)

Adults in British Columbia will be allowed to possess small amounts of some illicit drugs starting next year, the federal government announced Tuesday — a move that marks a dramatic shift in Canada's drug policy.

The federal government says Canadians 18 years of age and older will be able to possess up to a cumulative 2.5 grams of opioids, cocaine, methamphetamine and MDMA within British Columbia. The announcement is in response to a request from the province for an exemption from the law criminalizing drug possession.

This first-of-its-kind exemption will go into effect on Jan. 31, 2023, and last until Jan. 31, 2026, unless it is revoked or replaced before then. The exemption means there will be no arrests, charges or seizures for personal possession at or below the 2.5 gram threshold.

Federal Minister of Mental Health and Addictions Carolyn Bennett and her provincial counterpart, Sheila Malcolmson, announced the policy shift together in Vancouver on Tuesday.

The city has been the site of a surge in drug overdose deaths that accelerated throughout the COVID-19 pandemic. B.C. saw 2,224 suspected toxic illicit drug overdose deaths in 2021 and more than 9,400 since 2016.

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Will the government consider decriminalizing small-scale drug possession nationally?

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Minister of Mental Health and Addictions Carolyn Bennett joins Power & Politics to discuss the government's decision to grant a legal exemption to B.C. to decriminalize possession of small amounts of some illicit drugs.

"For far too long, this wave of loss has been a reality in British Columbia and across the country," Bennett said on Tuesday.

"Today, we take the first steps in the much-needed bold action and significant policy change."

Bennett said decriminalization doesn't equal legalization.

Still, the exemption is a dramatic policy shift in favour of what decriminalization advocates say is an approach that treats addiction as a health issue, rather than a criminal one. One of the goals of decriminalization is to reduce the stigma associated with substance abuse.

- ['Mass poisoning crisis': Canadians need to change how we talk about drug deaths, advocates say](#)
- [CBC EXPLAINS Why is Canada's illicit drug supply so deadly and what's being done about it?](#)

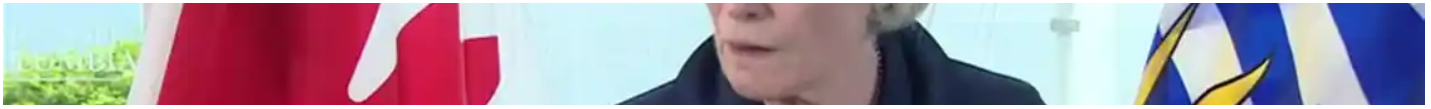
The exemption is a "major step in changing how we view addiction and drug use in British Columbia," Malcolmson said.

"The fear of being criminalized has led many people to hide their addiction and use drugs alone. And using drugs alone can mean dying alone, particularly in this climate of tragically increased illicit drug toxicity."

B.C., Vancouver and Toronto Public Health have all separately filed exemption requests to decriminalize possession of small amounts of illicit drugs.

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New rules for small-scale possession of illicit drugs in B.C.

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Minister of Mental Health and Addictions Carolyn Bennett announced that adults in British Columbia will be allowed to possess small amounts of some illicit drugs starting next year — a move that marks a dramatic shift in Canada's drug policy.

Under the Controlled Drug and Substances Act, the health minister has the authority to grant an exemption if it is "necessary for a medical or scientific purpose or is otherwise in the public interest." The federal government confirmed that the applications from Vancouver and Toronto Public Health are both still under review.

The principle of decriminalizing possession of a small amount of illicit drugs has been endorsed by the Canadian Association of the Chiefs of Police. The B.C. Association of Chiefs of Police has also supported the idea, though it [recommended decriminalizing](#) possession of just one cumulative gram.





Evidence bags containing fentanyl are displayed during a news conference at Surrey RCMP Headquarters, in Surrey, B.C., on Sept. 3, 2020. (Darryl Dyck/The Canadian Press)

While the federal government has granted an exemption, it's not giving B.C. exactly what it asked for.

One major difference is the quantity of drugs being decriminalized for personal possession. The province asked for a cumulative 4.5 grams, but the federal exemption allows for just 2.5 grams.

Health Canada said it consulted numerous information sources to set its possession threshold to strike a balance between health and safety. It also acknowledged a lack of evidence to determine what an effective threshold would be. The department said that once the exemption is in place, it will be thoroughly examined by a third party and its details could change as evidence is gathered and analyzed.

Delaying implementation until January 2023 was meant to give governments and agencies time for training, consultation and outreach, and to otherwise prepare for the shift in policy, federal and provincial officials said.

- [Overdose victims trending younger as drug supply grows ever more toxic, death review panel finds](#)
- [Ontario Liberals, NDP promise help on opioid crisis as election looms](#)

In a statement, Alberta Premier Jason Kenney criticized the move.

"As a neighbouring province, the Government of Alberta is alarmed by this announcement to decriminalize and we will be monitoring the situation very closely," he said.

"I want to state in the strongest possible terms to the Government of Canada and the Government of British Columbia that Alberta will exhaust all options should their actions cause damage to Albertans."

Bennett also announced an additional \$11.78 million in support for substance abuse and addictions programs in British Columbia.

Activities like production, trafficking still illegal

The exemption carries certain other limitations. It does not apply on the premises of elementary or secondary schools, in child-care facilities or airports. It also doesn't apply to Canadians subject to the military's disciplinary code.

The B.C. Ministry of Health said that it views decriminalization as only one part of a set of policies meant to address the opioid overdose crisis.

Health Canada said that the exemption does not decriminalize activities such as trafficking, producing, importing or exporting controlled substances.

The exemption comes just a day before a vote is expected on a decriminalization bill put forward by NDP MP Gord Johns.

- [B.C. sees decrease in overdose deaths in March, but drug users still face risks, coroner says](#)
- [Overdose crisis still 'urgent' in Toronto, city's top doctor says as emergency calls rise](#)

Speaking before question period on Tuesday, Johns said the exemption is "good news" but that the overdose crisis remains a national issue. He also accused the government of delaying its decision and dragging its feet, costing lives.

"The families of thousands of Canadians are burying loved ones right across Canada right now.... We need a national approach," he said, adding that the Liberals are taking a "piecemeal, incremental" approach that is "costing lives every day."

Asked about the NDP bill, Bennett said she would not be voting for it because it does not have sufficient "guardrails" and would have an impact on Canada's international obligations. She thanked Johns for his work in raising awareness about the issue.

"It has been an important bill, but 'starting by starting' when it comes to British Columbia is a prudent way to go," she said.

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